



**MINUTES**  
**PLANNING AND ZONING COMMISSION**  
**CITY OF MISSOURI CITY, TEXAS**  
October 12, 2016

**1. CALL TO ORDER**

The Notice of Meeting and Agenda having been duly posted in accordance with legal requirements and a quorum being present, the meeting was called to order by Vice Chairman Tim Haney, at 7:00 PM.

**2. ROLL CALL**

**Commissioners Present:**

Tim Haney  
Reginald Pearson  
Douglas Parker  
John O'Malley  
Ramesh Anand  
Len Goff, Jr.

**Commissioners Absent:** Chairman Brown-Marshall, Commissioner Rose, Commissioner Brightwell

**Councilmembers Present:**

**Staff Present:**

Scott Elmer, Assistant City Manager  
Otis T. Spriggs, Director of Development Services  
Jennifer Thomas Gomez, Interim Assistant Director of Development Services  
Evelyn Kimeu, Assistant City Attorney  
Jose Abraham, Planner I  
Nancy Desobry, Office Manager

**Others Present:**

Jorge DeLa Rosa  
Mike Moody  
Beth Posa

Bruce Matthews  
Stephanie Lampe  
Walker Bruns

Daniel Thalman  
Sally Sims  
Amanda Carriage

**3. READING OF MINUTES:**

Vice Chairman Haney called for any corrections or additions to the September 14, 2016, regular Planning and Zoning Commission meeting minutes.

**Motion:** Approval of the September 14, 2016, meeting minutes

**Made By:** Commissioner Goff

**Second:** Commissioner O'Malley

**AYES:** Commissioner Haney, Commissioner Goff, Commissioner Parker, Commissioner Pearson, Commissioner O'Malley

**NAYS:** None

**ABSTENTIONS:** Commissioner Anand

The motion passed

**4. REPORTS**

**A. COMMISSION REPORTS**

(1) Chairman of the Planning and Zoning Commission  
None

(2) Planning and Zoning Commissioners  
None

**B. STAFF REPORTS**

(1) Development Services

Otis T. Spriggs, Director of Development Services, stated this is 2016 National Community Planning month. This was recognized by Council in the last meeting recognizing the efforts of the Commission as well as what Council has done over the years with the Comprehensive Planning process in moving things forward. Mr. Spriggs reminded the Commission about the joint meeting on October 19th with City Council and CPAC. Ms. Jennifer Thomas Gomez, Interim Assistant Director, commented that this joint meeting is for the Comprehensive Plan update.

(2) City Engineer

a. Assistant City Manager Scott Elmer expressed his appreciation for both the Commission and the Planning and Zoning staff for the great work they do in making this city what the citizens, Council, and the Boards and Commissions want it to be.

**5. PUBLIC COMMENT**

Ms. Beth Possa asked what the City's plans were regarding the Township.

**6. PLATS**

**A. CONSENT AGENDA**

- (1) Consider approval of a preliminary plat for Avalon at Sienna Plantation Section 7
- (2) Consider approval of a final plat for Eleanor Palace

**Motion:** The Planning and Zoning Commission grant conditional approval of the consent agenda.

**Made By:** Commissioner Anand

**Second:** Commissioner Parker

**AYES:** Commissioner O'Malley, Commissioner Haney, Commissioner Pearson, Commissioner Parker, Commissioner Goff, Commissioner Anand

**NAYS:** None

The motion passed.

**B. PUBLIC HEARING AND CONSIDERATION OF PARTIAL REPLAT NO. 1 NANDINA AT RIVERSTONE**

Consider approval of partial replat No. 1 Nandina at Riverstone

Mr. Daniel Thalman, a resident of Nandina, stated his hope that the developer would leave a natural area that serves as a bird sanctuary.

**Motion:** To close the public hearing

**Made By:** Commissioner Anand

**Second:** Commissioner Goff

**AYES:** Commissioner O'Malley, Commissioner Goff, Commissioner Haney, Commissioner Pearson, Commissioner Parker, Commissioner Anand

**NAYS:**

The motion passed.

**Motion:** The Planning and Zoning Commission grant conditional approval of partial replat No. 1 Nandina at Riverstone.

**Made By:** Commissioner Anand

**Second:** Commissioner Goff

**AYES:** Commissioner O'Malley, Commissioner Haney, Commissioner Pearson, Commissioner Parker, Commissioner Goff, Commissioner Anand

**NAYS:** None

The motion passed.

**7. ZONING MAP AMENDMENTS**

**A. PUBLIC HEARING FOR A PLANNED DEVELOPMENT DISTRICT AMENDMENT**

(1) Public hearing to receive comments for or against a request by Christina MaKura to amend the regulations and restrictions of PD, Planned Development District #62 to allow for the location of a rental car facility with associated automobile parking lot and preparation area; and to the extent such rezoning deviates from the Future Land Use and Character map of the Comprehensive Plan, to provide for an amendment therefrom. PD #62 is located southwest of the intersection of State Highway 6 and the Fort Bend Parkway. PD#62 contains a shopping center anchored by a Kroger grocery store and containing certain businesses including a Wells Fargo and Chase bank and several restaurants including a Popeye's Louisiana Kitchen, a Burger King, a Russo's New York Pizzeria and a Subway.

Ms. Gomez stated this item is being presented again due to a noticing error and is exactly the same as the item previously approved and recommended to City Council with a positive recommendation.

**Motion:** To close the public hearing

**Made By:** Commissioner O'Malley

**Second:** Commissioner Parker

**AYES:** Commissioner O'Malley, Commissioner Goff, Commissioner Haney, Commissioner Pearson, Commissioner Parker, Commissioner Anand

**NAYS:**

The motion passed.

(2) Consideration of the approval of a Final report to City Council on item 7A(1) above.

**Motion:** The Planning and Zoning Commission recommends that this be forwarded to Council with a positive recommendation.

**Made By:** Commissioner O'Malley

**Second:** Commissioner Anand

**AYES:** Commissioner O'Malley, Commissioner Goff, Commissioner Haney, Commissioner Pearson, Commissioner Parker, Commissioner Anand

**NAYS:**

The motion passed.

**8. ZONING TEXT AMENDMENTS**  
**A. PUBLIC HEARING FOR AMENDMENTS REGARDING MOBILE FOOD ESTABLISHMENTS**

- (1) Public hearing to receive comments for or against possible amendments to the Zoning Ordinance regarding mobile food establishments.

Mr. Spriggs presented this item stating this item is being presented for discussion. Mr. Spriggs stated the Planning & Zoning Commission held discussion of this issue in June 2016, and the discussion of site development and land use impacts. Staff was asked by the P & Z Commission to bring this item back after providing for a public hearing process involving both food truck vendors and general public and restaurant owners. Mr. Spriggs stated items of concern include:

- Restaurants should not be penalized, special events only.
- Construction site trailers: not inspected.
- Cash is not monitored. Owner is responsible for reporting tax.
- Zoning districts allowable use compliance.
- Creation of zones
- Get local restaurants' buy-in first who are only inspected 2 times a year.
- We have allowed them on construction sites, but no permits issued. Construction sites are not paying/collecting sales tax.
- Will special training/software be needed to accommodate food trucks?
- Where are food establishments prohibited?
- What type of revenue are they bringing in?
- No driving around the City allowed (like ice cream trucks).
- Allowances for restaurants that have food trucks.
- Ice cream trucks remain prohibited.
- Business success rates?
- Ribbon cuttings have food trucks present.

Mr. Spriggs stated regulatory policy areas include: Economic activity; public health; public safety; and public space. Several cities of various sizes and locations were mentioned.

The Commission discussed these concerns and expressed overall desire to include this product in Missouri City as long as the concerns are addressed. A strong consideration is acceptance by the brick and mortar establishments.

**Motion:** To close the public hearing

**Made By:** Commissioner O'Malley

**Second:** Commissioner Pearson

**AYES:** Commissioner O'Malley, Commissioner Goff, Commissioner Haney, Commissioner Pearson, Commissioner Parker, Commissioner Anand

**NAYS:**

The motion passed.

**9. OTHER MATTERS WITHIN THE JURISDICTION OF THE COMMISSION OR THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE**

None.

**10. CLOSED EXECUTIVE SESSION**

*The Planning and Zoning Commission may go into Executive Session regarding any item posted on the Agenda as authorized by Chapter 551 of the Texas Government Code.*

**11. RECONVENE**

Reconvene into Regular Session and Consider Action, if any, on items discussed in Executive Session.

**12. ADJOURN**

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Nancy Desobry